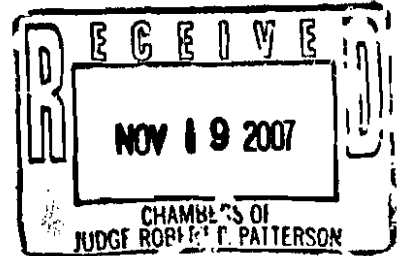


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November 19, 2007

Via Fax (212) 805-7917

The Honorable Robert P. Patterson, Jr.
U.S. District Court, Southern District
40 Foley Square
New York, New York 10007-1581

MEMO ENDORSED

Re: Krochta v. On Time Delivery Service, Inc. and AD MFG. Corp.
Case #: 07 CIV 9735

Dear Justice Patterson:

Please be advised that my office represents the defendant On Time Delivery Service, Inc. This is a personal injury action originally filed in the Supreme Court, Bronx County by plaintiff's counsel. My office filed a Notice of Removal with the Court on November 2, 2007 and this matter was assigned to your honor.

Since that time I have spoken to plaintiff's counsel who has objected to the Notice of Removal. After conferring with counsel and reviewing the authorities that he supplied, I concede that his position is valid and wish to stipulate to remand this matter to the State Court.

As you are well aware, the plaintiff has 30 days from the filing of the Notice of Removal to file a motion. The parties would like to avoid unnecessary motion practice.

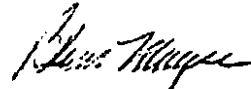
The parties would like to know if we can file a stipulation agreeing to the remand to be So Ordered by the Court. I attach a proposed Stipulation.

*application granted
So ordered
Robert P. Patterson
11/19/07*

To date there has been no appearance on behalf of AD MFG. Corp.

Your advice on this matter would be greatly appreciated. Should you have any questions please don't hesitate to contact the undersigned.

Very truly yours,



Blane Magee

BM/cs

cc: Rappaport, Glass Greene & Levine, LLP
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ROBERT KROCHTA,

Case #: 07 CIV 9735

Plaintiff,

STIPULATION

- against -

**ON TIME DELIVERY SERVICE, INC. and
AD MFG. CORP.,**

Defendants.
-----X

IT IS HEREBY STIPULATED and agreed by and between the parties that the above captioned matter shall be remanded to the State Supreme Court, Bronx County forthwith.

Dated: November 19, 2007

BLANE MAGEE, ESQ.

Attorney for Defendant

ON TIME DELIVERY SERVICE, INC.

77 N. Centre Avenue, Suite 310

Rockville Centre, NY 11570

RAPPAPORT, GLASS GREENE & LEVINE

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1355 Motor Parkway

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SO ORDERED